



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,042	03/25/2002	Peter Brune	740-63	8011

7590 01/18/2006
Lawrence A Maxham
The Maxham Firm
750 B Street Suite 3100
San Diego, CA 92101

EXAMINER

CONTEE, JOY KIMBERLY

ART UNIT	PAPER NUMBER
----------	--------------

2686

DATE MAILED: 01/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/980,042	Applicant(s) BRUNE ET AL.	
	Examiner Joy K. Contee	Art Unit 2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Astrom et al. (Astrom), U.S. Patent No. 5,752,188.

Regarding claim 1, Astrom discloses a method of controlling installations and/or processes in which parts of an existing mobile communication network are used, comprising

an exchange of information taking place between the information flows within the mobile communication network and a dedicated network, and information elements of the standardized signaling protocols of the mobile communication network, wherein the respective information elements are not relayed transparently at suitable interfaces in the mobile communication network, but instead are filtered out of the signaling by a filter method and are transferred to the dedicated network, wherein the information elements coming from the dedicated network are inserted into the signaling (col. 6, lines 10-56).

Regarding claim 2, Astrom discloses the method according to claim 1, wherein the exchange of information takes place by inserting response signals in the form of information elements into the mobile communication signaling (col. 6, lines 10-56).

Regarding claim 3, Astrom discloses the method according to claim 1, wherein the content of at least one of said information elements is defined by a terminal involved in the mobile communication (col. 6, lines 10-56).

Regarding claim 4, Astrom discloses the method according to claim 2, wherein the content of at least one of said information elements is defined by a terminal involved in the mobile communication (col. 6, lines 10-56).

Regarding claims 5-7, Astrom discloses the method according to claims 1, 2 and 3, respectively, wherein the A interface of a GSM or UMTS mobile communication network is used as the interface (col. 1, lines 6-17).

Regarding claims 8-11, Astrom discloses the method according to claims 1, 2, 3 and 4, respectively, wherein the MAP interface of a GSM or UMTS mobile communication network is used as the interface (col. 1, lines 6-17).

Regarding claims 12-16, Elliott discloses the method according to claims 1, 2, 3 and 4, respectively, wherein the information exchanged includes at least a subscriber identification (col. 6, lines 39-50).

Regarding claims 17-22, Astrom discloses the method according to claims 1, 2, 3, 4, 5 and 6, respectively, wherein the information exchanged includes at least location identification (col. 6, lines 11-39).

Regarding claims 23-29, Astrom discloses the method according to claims 1,2,3,4,5,6 and 7, respectively, wherein the exchange of information takes place through a unit of the mobile communication network which has at least the function of a home location register and/or an authentication center (col. 6,lines 11-39).

Regarding claim 30, Astrom discloses an arrangement for controlling installations and/or processes, comprising:

parts of an existing mobile communications network being used for the transmission of the respective data and arrangements are provided for the exchange of information between a dedicated network and elements of the mobile communication network which are participating in the information flow within the mobile communication network, with at least one coupling device being provided to permit an exchange of information between at least one location in the mobile communication network and a location in the dedicated network, wherein said coupling device has devices which can directly or indirectly select information elements from the information flow of the mobile communication network in a controlled manner that conforms to the protocol or it can directly or indirectly insert information elements into the information flow of the mobile communication network in a controlled manner or it can replace corresponding elements of the information flow the mobile communication network (col. 6,lines 10-56).

Regarding claim 31, Astrom discloses the arrangement according to claim 30, wherein as a coupling point of the mobile communication network to the dedicated in the mobile communication network, a unit is provided which has at least the function of a home location register and/or an authentication center (col. 6,lines 11-39).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K. Contee whose telephone number is 571.272.7906. The examiner can normally be reached on Monday through Friday, 5:30 a.m. to 2:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571.272.7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JC


JOY K. CONTEE
PATENT EXAMINER